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PART IV

Legislative Measures and Rules thereunder

NOTIFICATIONS.

The Mysore Fowls and Eggs (Movement) Control Order, 1945.

No. SD. 6195—C. 104-45-5, dated Bangalore, the 28th February 1946.

In exercise of the powers conferred by Rule 81 2(*a*) of the Defence of India Rules as applied to Mysore and in supersession of Notifications No. SD. 7157—C. 177-44-6, dated 16th May 1945, and No. SD. 3107—C. 104-45-2, dated 20th November 1945, the Government of His Highness the Maharaja are pleased to make the following order and direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of this order shall be given by publication of the same in the *Mysore Gazette* :—

1. (i) This Order may be called the Mysore Fowls and Eggs (Movement) Control Order, 1945.

(ii) It extends to the whole of Mysore State.

(iii) It shall come into force at once.

2. In the Order, unless there is anything repugnant in the subject or context :—

(*a*) "Egg" means an egg laid by a hen or a duck.

(*b*) "Fowl" means a cock or hen of any variety.

3. No person shall transport or cause to be transported from any place within the Mysore State to any place outside the State any fowl or egg by rail, road, or otherwise except under and in accordance with the terms and conditions of a permit issued by the District Magistrate of the District from which the fowl or egg is sought to be transported :

Provided that a *bona fide* traveller may, without such permit, carry as part of his personal luggage not more than one fowl and six eggs.

4. If any person contravenes the provisions of clause 3, then, without prejudice to any other punishment to which he may be liable, any Court trying such contravention shall direct that any stocks of fowls or eggs, together with the packages and coverings thereof, if any, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to Government unless, for reasons to be recorded in writing, it is of opinion that such direction should not be made in respect of the whole or part of such stocks.

5. (i) All proceedings commenced and action taken under the notification hereby superseded shall be continued and, so far as may be, be deemed to have been commenced or taken under this Order.

(ii) All permits issued under the said notifications and in force for the time being, shall be deemed for all the purposes of this Order to be permits issued under this Order.

Sugar and Sugar Products Control Order, 1946.

No. S. D. 6312—C. 102-45-2, dated Bangalore, the 1st March 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, the Government of His Highness the Maharaja hereby direct that the Sugar and Sugar Products Control Order, 1944, issued under Notification No. S. D. 6198—C. 255-43-2, dated 15th March 1944 be repealed and that the following amended Order be issued. They further direct with reference to sub-rule (1) of Rule 119 of the said Rules, that this amended order be published in the *Mysore Gazette*.

ORDER.

1. (1) This order may be called the Sugar and Sugar Products Control Order, 1946.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context:—

(*a*) "Controller" means the person appointed as the Sugar Controller by the Government, and includes

any person authorised by the said Controller to exercise all or any of the powers of the Controller under this Order;

(*b*) "dealer" means a person carrying on business in the purchase, sale, stocking for sale, or distribution of sugar or sugar products;

(*c*) "ex-factory price" means the price of sugar inclusive of excise duty, packed in accordance with the usual market practice, and loaded at the buyer's option, on buyer's carts, lorries or other means of transport, or into railway wagons at the railway station or siding generally used by the producer, and all incidental charges including those for siding and forwarding, being on account of the ex-factory seller;

(*d*) "producer" means a person carrying on the business of manufacturing sugar or sugar products or both with the aid of electrical energy or any other form of energy which is mechanically transmitted, and is not generated by human or animal agency and using vacuum pass or evaporators;

(*e*) "recognised dealer" means a dealer who has been recognised as such by the Controller for purposes of this Order;

(*f*) "Sugar" means any form of sugar containing more than 90 per cent of sucrose;

(*g*) "sugar products" means any article manufactured from and containing sugar not less than 50 per cent of its weight.

3. No producer shall dispose of or agree to dispose of or make delivery of, any sugar except:—

(i) to or through a recognised dealer; or

(ii) to a person specially authorised in this behalf by the Controller to acquire sugar on behalf of the Government.

4. (1) If the Controller has reason to believe that the production of special types of sugar or sugar products is likely to affect adversely the production of adequate quantities of ordinary sugar, he may, by general or special order, prohibit, or limit to such quantities as may be specified in the order, the manufacture by any producer or by producers generally of such types or grades of sugar or sugar products as the order may specify, and no producer to whom such order applies shall manufacture any sugar or sugar products in contravention thereof.

(2) For the purpose of sub-clause (1) "producer" includes a person carrying on the business of

manufacturing any form of sugar containing more than 90 per cent sucrose including Khandsari sugar, Desi sugar, Mogadum sugar and Bura.

5. Every producer and dealer shall comply with such directions regarding the purchase, sale, stocking for sale or distribution of sugar or sugar products as may from time to time be given to him by the Controller.

6. "(1) The Controller may from time to time, fix by notification in the *Mysore Gazette*, the price or maximum price at which any sugar or sugar product may be sold or delivered, and different prices may be so fixed by him for different areas or different types or grades of sugar or sugar products.

(2) Where the price or the maximum price has been so fixed:—

(*a*) the price at which such sugar or sugar product may be sold for delivery otherwise than ex-factory shall not exceed the price or the maximum price as the case may be, fixed under sub-clause (1) for sale ex-factory *plus* such charges in respect of transport to or in specified areas and other incidental charges as are approved by the Controller;

(*b*) no person shall sell or purchase or agree to sell or purchase such sugar or sugar product at a price higher than that fixed under the provisions of sub-clause (1)".

7. (1) The Controller may, from time to time:—

(i) allot quotas of sugar or sugar products or of both for the requirements of any specified province, or area, or market;

(ii) issue directions to any producer or dealer to supply sugar or sugar products to such provinces, areas or markets or such persosn or organisations, in such quantities, of such types or grades, at such times, at such prices and in such manner as may be specified by the Controller; and

(iii) require any producer or dealer to keep in reserve stocks of sugar or sugar products in such quantities and of such types and grades as he may direct from time to time:

Provided that where price or maximum price of any sugar or sugar product has been fixed in accordance with sub-clause (1) of Clause 6, the Controller shall in respect of such sugar or sugar product specify the price or maximum price under para (ii) of this sub-clause accordingly."

(2) Every producer shall, notwithstanding any existing agreement with any other person, give priority to, and comply with, any directions issued to him under sub-clause (1).

8. (1) No sugar shall be transported, or offered or accepted for transport, whether by rail, road or water, and whether by a railway servant, common carrier or other person, except under and in accordance with the terms of:—

(*a*) a general or special permit issued by the Controller in this behalf; or

(*b*) a Military credit note.

Provided that nothing in this sub-clause shall apply to the transport of sugar not exceeding 6 lbs. as part of the personal luggage of a *bona fide* traveller."

(2) A permit issued in pursuance of sub-clause (1) shall be returned by the consignor to the Controller on completion of despatch, or on expiry of the period of its validity, whichever is earlier, with the particulars of actual despatches in the prescribed form.

(3) For the purposes of this clause, "sugar" means sugar manufactured by any process, including sugar made in vacuum pan factories from cane or gur or palmyrah jaggery, as well as khandsari sugar, sugarcandy (misri), bura and powdered jaggery (Mogadum sugar).

9. The Controller may, by notification in the official Gazette, make rules for carrying into effect the purposes and objects of this Order.

10. Notwithstanding the supersession of the Sugar Control Order, 1942, all notifications, rules, orders, authorizations, quotas, requirements, and directions issued thereunder shall, so far as they are not inconsistent with this Order, be deemed to have been made under this Order and shall continue in force until rescinded or modified under this Order.

No. S. D. 6385—C. 80-45-27, dated Bangalore, the 5th March 1946.

In exercise of the powers conferred by Rule 75-A, 75-B and 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that under the group "1 Fine"

variety paddy contained in Notification in S. D. C. 219-C. 103-44-10, dated 16th November 1944, the following variety of paddy shall be added.—

1. Fine. | 13. Salem Sanna.

C. E. NORONHA, *Dev. Secy.* (Food Supplies).

No. C. 1381—C. O. 25-45-6, dated Bangalore, the 1st March 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja of Mysore are pleased to direct that the Paper (Packing of Cotton Textiles) Control Order, 1945, published with the Notification No. C. 493—C. O. 25-45-2, dated the 19th November 1945, shall be repealed.

No. C. 1383—C. O. 66-44-4, dated Bangalore, the 1st March 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Aluminium Utensils (Control) Order, 1945, and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of this Order shall be given by publication of the same in the Official Gazette and by the issue of a Press Note explaining the same.—

1. In sub-clause (1) of clause 5 of the said Order, for the letters and figures "Rs. 2-14-0" the letters and figures "Rs. 2-8-0" shall be substituted.

2. In schedule (1) annexed to the said Order, in the column under the heading "Maximum retail price per lb." for the entries "2-12", "2-14", "3-2" and "3-6" wherever they occur, the entries "2-6", "2-8", "2-12" and "3-0" respectively, shall be substituted.

No. C. 1388—Co. 1-45-106, dated Bangalore, the 1st March 1946.

In exercise of the powers conferred by clause (*c*) of sub-section (1) of section 3 of the Hoarding and Profiteering Prevention Act, 1944 (Act XXII of 1944), the Government of His Highness the Maharaja are pleased to direct that the maximum retail price of naphthalene balls shall be eight annas per lb.

No. C. 1393—Co. 69-45-2, dated Bangalore, the 1st March 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made to the (Mysore) Cotton Cloth Dealers' Licensing Order, 1943, and to direct, with reference to sub-rule (1) of Rule 119 of the said Rules, that notice of the said amendment shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.—

After clause 6-A of the said Order, the following clause shall be inserted as clause 6-B :—

"6-B. Where a license granted under this Order is defaced, lost or destroyed, the Licensing Authority may, after making such enquiry as it deems necessary, issue a duplicate on payment of a fee of eight annas in the case of a license granted to conduct business as a hawker, and one rupee in other cases."

No. C. 1399—Co. 19-45-20, dated Bangalore, the 1st March 1946.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Consumer Goods (Control of Distribution) Order, 1945, and to direct that notice of this amendment shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note explaining its provisions.

In the said Order, after clause 11, the following clause shall be added, namely :—

"12. The Government may exercise all or any of the powers of the Controller of Civil Supplies under this Order."

No. C. 1404—Co. 14-45-8, dated Bangalore, the 1st March 1946.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Paper (Prices of Imported Paper) Control Order, 1944, and to direct that with reference to sub-rule (1) of rule 119 of the said Rules, the above general order shall be published in the Gazette and that a Press Note giving an indication of the nature of the amendment made shall be issued.

I. In the schedule appended to the said Order, to the entries under Part "A" the following entries shall be added, namely :—

	Rs.	a.	p.
"Bond Paper containing 50 per cent rag water-marked 'Kuebworth' ...	1	5	0
Ledger paper containing 50 per cent rag water-marked 'Cheddar Valley'" ...	1	5	0

II. To the entries under Part "C" the following entries shall be added, namely :—

	Rs.	a.	p.
"Charles Martin' Extra strong water-marked paper (thick) substance ...	2	1	0
'Charles Martin' Extra strong water-marked paper (thin) substance"	2	2	11

———

No. C. 1419—Co. 53-45-6, dated Bangalore, the 5th March 1946.

Corrigenda.

In the notification No. C. 1051—C. O. 53-45-2, dated 23rd January 1946, published on pages 88 to 96 of Part IV of the *Mysore Gazette*, dated 31st January 1946.—

(i) in the Table on page 89 in the second column headed "Banks and Bonds" against "substance" for the word "Maximum" in the first line read "Minimum", and

(ii) on page 94 in part (*b*) of item 11—"wrapping papers" for the letters in brackets "M.G." read "M.F."

E. V. GANAPATI IYER, *Civil Supplies Secy.*

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